

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

STEVE and DEANNE
STALNAKER,

Plaintiffs,

v.

FIVE FOLD COLLECTIVE INC.,
a/k/a FIVE FOLD COLLECTIVE,
LLC, and JENNIFER LEONARD,

Defendants.

Case No. 22-04-BU-BMM

ORDER

The parties have filed a stipulation that appears to resolve all outstanding issues in this case, save for the Plaintiffs' forthcoming motion for attorney fees and the Defendants' forthcoming motion to stay execution of the judgment. The Court has reviewed the stipulation, and good cause appearing, hereby ORDERS as follows:

1. The Stalnakers' tortious interference claim is dismissed.
2. Judgment shall be entered in favor of the Stalnakers on the Defendants' counterclaims, including their claims for breach of contract, for breach of the implied covenant of good faith and fair dealing, and for tortious interference.

3. The parties have specifically reserved their right to assert any of the claims or remedies that have been asserted in the pleadings but not adjudicated, if any of the Court's orders are reversed on appeal.
4. The Court directs First American Title Company to release the \$50,000 in earnest money currently being held in escrow, and those funds should thereafter be held in a trust account at Parsons Behle & Latimer in lieu of a supersedeas bond for that portion of the judgment, pending a final decision from the Ninth Circuit Court of Appeals. In the event the Ninth Circuit issues an order affirming the Court's judgment, the proceeds may be released to the Stalnakers immediately after the mandate issues from the Ninth Circuit under Rule 41, Fed. R. App. P.
5. The Stalnakers are directed to file any application for attorney fees or other costs within 14 days of the entry of judgment in this case, consistent with Rule 54, Fed. R. Civ. P.
6. The hearing currently scheduled for 1 p.m. on September 7, 2022 is vacated as moot.
7. The Clerk of Court is directed to enter judgment accordingly.

DATED this 7th day of September, 2022.



Brian Morris, Chief District Judge
United States District Court